

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1949 OF 2003  
IN  
INCOME TAX APPEAL (L) NO.643 OF 2003**

The Commissioner of Income Tax

..Appellant

Vs.

M/s.Metal Marketing Company

..Respondent

Mr.P.S.Sahadeva for the Appellant.

Mr.S.S.Shetty for the Respondent.

**CORAM :- DR.S.RADHAKRISHNAN &  
J.P.DEVADHAR,JJ.**

**DATE : 27TH FEBRUARY,2007**

**P.C.**

1. Heard the learned Counsel for the parties.

Perused the Notice of Motion and affidavit in support thereof. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the above Appeal on board for admission on 13th March,2007.

**(J.P.DEVADHAR,J.)**

**(DR.S.RADHAKRISHNAN,J.)**